

REMARKS

This amendment is in response to the Official Action mailed on April 7, 2004. Claims 1 - 3, 5, 7, 9, 11, 13, 15 - 19, 21, 23, 25, 27, 29, 31, 33, 35, 37 and 39 have been cancelled. Claims 4, 6, 8, 10, 12, 14, 20, 22, 24, 26, 28, 30, 32, 34, 36 and 38 remain withdrawn. New claims 40 to 74 have been added.

The newly submitted figures are all line drawings for greater clarity and to incorporate proper margins and spacings.

The drawings have been further amended in response to the Examiner's specific objections in paragraphs 1 to 7 of the Action.

Figure 1 has been amended to extend the lead line from reference numeral 10 to more clearly identify the substance containing cartridge. Reference numeral 20 and its lead line now more clearly identify retaining means including cap 22. The lead line from reference numeral 1 has been amended to include an arrowhead to indicate the present device generally. Similar amendments have been made to Figure 2 for consistency.

In Figure 4, an arrowhead has been added to the lead line from reference numeral 76 to indicate the plunger assembly generally. A similar amendment has been made to Figure 5.

Figure 16 and 17 have been amended to include an arrowhead at the end of the lead line from reference numeral 196 to generally indicate this part of the spring assembly.

Previous Figure 18 has been renumbered as separate Figures 18 and 19. Similarly, previous Figure 19 has been renumbered as separate Figures 20 and 21.

Original Figures 20 and 21 have been renumbered as Figures 22 and 23, respectively.

Original Figure 22 has been renumbered as separate Figures 24a, 24b, 24c and 25a, 25b and 25c.

Approval of the drawing changes is respectfully requested.

A new abstract has been submitted herewith in narrative form without claim phraseology. Approval is respectfully urged.

The specification has been amended in response to the matters raised in paragraphs 10, 11, 12, 13 and 14 of the Official Action, with the following exceptions.

The antecedent basis for the terminology identified in paragraph 11(D) of the Action is found commencing at page 15, line 24. The antecedent basis for the terminology identified in 11(E) is found commencing at page 17, line 12. Antecedent basis for the terminology identified by the Examiner in paragraphs 11(F) and (G) is found at page 19, commencing at line 1. Antecedent basis for the terminology identified by the Examiner in paragraphs 11(H), (I) and (J) is found at page 20, commencing at line 16. Antecedent basis for the terminology of paragraph 11(L) is found at page 20, commencing at line 18. Antecedent basis for the terminology of 11(M) is found at page 21, commencing at line 1. Antecedent basis for the terminology of paragraph 11(N) is found at page 20, commencing at line 25. With respect to the terminology of

paragraph 11(O), antecedent basis is found at page 20, commencing at line 15 and with respect to the terminology of 11(P), antecedent basis is found at page 21, commencing at line 16.

With respect to paragraph 12 of the Official Action, the structure constituting the element of 12(A) is found at page 9, line 20. The elements of paragraph 12(B), (C) and (D) are described in the specification at page 10, commencing at line 3.

All of the informalities identified by the Examiner in paragraph 13 of the Official Action have been introduced into the specification, with the exception of item (N). The word "the" has been added to line 3 on page 12, but not to lines 1 and 2. Where a reference numeral is used to identify an element, traditional drafting practice is not to use the definite article "the" for that element.

In the claims, all of the original claims have now either been cancelled or withdrawn, and new claims 40 to 74 have been added to further define the invention as contemplated by the applicant, and to further and patentably distinguish over the prior art.

The objection enumerated in paragraphs 16 to 23 are believed to be moot in view of the cancellation of the claims in question.

As amended, claim 40 now recites a device for dispensing substance from a cartridge comprising: a retaining means for retaining a substance containing cartridge; a telescoping plunger assembly, said telescoping plunger assembly being made up of at least a frontmost member, a rearmost member and at least one intervening member, at least one of the intervening members being a turnbuckle; a base to which at least a portion of said telescopic plunger assembly is fixed; a drive train means for rotating said turnbuckle

of said telescoping plunger assembly; and a fast rewind means comprising a turnbuckle splitting means whereby said turnbuckle longitudinally splits into two turnbuckle halves, and plunger biasing means whereby said telescoping plunger assembly may be manually compacted against the resistive force of a plurality of plunger biasing springs.

The device as now claimed is clearly and patentably different from Ratzky. Ratzky discloses that the drive means and the telescopic means are all situated rearwardly of the substance dispensing cartridge and the telescoping means projects a plunger forwardly only. Nothing taught by Ratzky discloses the telescoping mechanism now claimed in new claim 40.

The applicant has also submitted new independent claim 63. This claim is submitted to distinguish over Ratzky for the same reasons discussed above with respect to new claim 40.

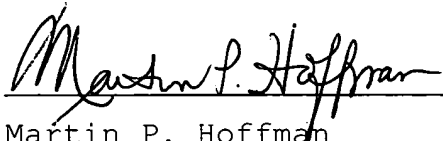
New claims 41 to 62 and 64 to 74 are directed towards additional aspects of the present invention, and are similar in nature to the previous claims that have now been cancelled.

The Examiner will note that new claims 61 and 62 and 73 and 74 reintroduce the use of an internal and external power source. Applicant had previously elected one of these species in view of the lack of an alleged linking claim. However, it is submitted that new independent claims 40 and 63 constitute proper linking claims with respect to internal and external power sources, that both are allowable over the art and favourable reconsideration of these claims is respectfully urged.

Applicant has also added new claims 47 and 70 which recite a clutch and drive shaft mechanism. Support for these claims is found on page 13 of the disclosure. It is felt that these elements are not disclosed in the prior art and represent additional patentable subject matter.

In view of the foregoing submissions and amendments, the application is believed to be in allowable condition, and early and favourable reconsideration towards that end is respectfully urged. A three month extension of time accompanies this response. If any additional fees are due and owing, the Commissioner is authorized to charge Deposit Account 08-2455.

Respectfully submitted,



Martin P. Hoffman
Reg. No. 22,261

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HOFFMAN, WASSON & GITLER, PC
2461 South Clark Street
Crystal Center 2
Suite 522
Arlington, VA 22202
(703) 415-0100

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